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| APPLICATION NO.                           | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|------------------------|---------------------|------------------|
| 09/996,002                                | 11/16/2001  | Andries Van Wageningen | DE 000203           | 2716             |
| 24737                                     | 7590        | 08/24/2005             | EXAMINER            |                  |
| PHILIPS INTELLECTUAL PROPERTY & STANDARDS |             |                        | ROBERTS, BRIAN S    |                  |
| P.O. BOX 3001                             |             |                        | ART UNIT            | PAPER NUMBER     |
| BRIARCLIFF MANOR, NY 10510                |             |                        | 2662                |                  |

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |                       |
|------------------------------|-----------------|-----------------------|
| <b>Office Action Summary</b> | Application No. | Applicant(s)          |
|                              | 09/996,002      | VAN WAGENINGEN ET AL. |
|                              | Examiner        | Art Unit              |
|                              | Brian Roberts   | 2662                  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 11/16/2001.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-6 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-6 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 16 November 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

Claims 1-6 have been examined.

### ***Claim Objections***

- In reference to claim 3

The term "various" in claim 3 is a relative term, which renders the claim indefinite.

The term "various" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In reference to claim 1

Claim 1 recites the limitation "storing accepted assignments". The previous limitations fail to disclose accepting assignments of a respective input port and an output port. It is unclear what the assignments consist of and how an "accepted" assignment differs from a non-accepted assignment.

Claim 1 recites the limitation “the input port”. There is insufficient antecedent basis for this limitation in the claim.

- In reference to claim 3

The phrase “accepted allocations of various requests” is unclear and undefined in the specification. The term “allocations” has not previously been introduced in the claims. It is unclear what the allocations consist of and how accepted allocations differ from non-accepted allocations.

- In reference to claim 4 and 5

Claim 4 and 5 recites the limitation “the preceding switch”. There is insufficient antecedent basis for this limitation in the claim.

- In reference to claims 2-3, and 6

Claims 2-3 and 6 are rejected because they depend from claim 1.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Milway et al. (US 6122279)

- In reference to claim 1
  - Token grant logic (identification analyzer) identifies the selected input port assigned to the packet. (column 13 lines 23-25)
  - Switch controller (output allocator) extracts (evaluates) the VCI from the header of a packet (the route identification) (column 13 lines 19-20)
  - A local routing table (720) (configuration unit) that contains information including the incoming port number and outgoing port number necessary to identify a cell as belonging to a virtual circuit. (column 14 lines 8-19)
  - Switch controller (identification assignment analyzer) for changing and conveying a new header to the port control logic (port controller) (column 16 lines 33-47)

- In reference to claim 2

A plurality of ports (input allocators) examine a plurality of Route Word (requests) to determine whether it is the intended recipient. (column 16 lines 19-21)

- In reference to claim 3

The ports in a cluster will inform the Token grant logic (identification analyzer) that no other port in the cluster requires service.

- In reference to claims 4 and 5

The microprocessor (request/assignment cascader) selects the route word Route Word (result) determined by the switch controller (input/output allocator) and examines the Route Word (result). (column 15 lines 17-19)

- In reference to claim 6

In Figure 1, Milway et al. teaches a packet switching arrangement where a plurality of input ports are connected to a switching network via multiplexed signaling links and useful data links.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are:

- Lee et al. (US 5821875) teaches a data switching device with a bufferless switch and switch controller.
- Hemmady (2002/0126674) teaches an ATM switch controller.
- Cloonan et al. (US 5544160) teaches an ATM packet switch and controller.
- Olnowich et al. (US 5542048) teaches a multi-stage circuit switch.
- Lea et al. (US 6115373) teaches an ATM controller and unbuffered self-routing network.

- Olnowich et al. (US 5444705) teaches a dual priority switching apparatus for a simplex network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Roberts whose telephone number is (571) 272-3095. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BSR  
08/19/2005



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